

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
TAXMASTERS, INC., and	§	CASE NO. 12-32065-H2
TAXMASTERS, INC.,	§	(CHAPTER 7)
<i>aka</i> Crown Partners, Inc.,	§	(SUBSTANTIVELY CONSOLIDATED)
Debtor	§	
	§	
TMIRS ENTERPRISES, LTD.,	§	CASE NO. 12-32062-H2
Debtor	§	(CHAPTER 7)
	§	
	§	[JOINTLY ADMINISTERED WITH
	§	CASE NO. 12-32065]
	§	
RONALD J. SOMMERS,	§	
CHAPTER 7 TRUSTEE,	§	
Plaintiff	§	
	§	
vs.	§	ADVERSARY NO. 14-03069
	§	
PATRICK COX and	§	
CARA COX,	§	
Defendants	§	

DEFENDANT’S DESIGNATION OF EXPERT WITNESSES

COMES NOW, PATRICK COX, Defendant and Counter-Claimant for Attorney’s Fees
(“Cox” or the “Defendant”), and makes its Designation of Expert Witnesses as follows:

- A. 1. John Wesley Wauson
Matthew B. Probus
Wauson ♦ Probus
One Sugar Creek Center Blvd, Suite 880
Sugar Land, Texas 77478
(281) 242-0303
- Reese W. Baker
Baker & Associates
5151 Katy Freeway, Suite 200
Houston, TX 77007
(713) 869-9200

2. One or more of these experts will testify in support of the Defendant's claim for attorney's fees under Section 24.013, Tex. Bus. & Comm. Code and in response to any attorney's fees testimony by the Plaintiff. To the extent that these persons were parties to or recipients of any correspondence or documents produced by the parties herein, Defendant would also refer to, and incorporate those documents to supplement this designation. This witness may also testify as to any and all matters contained in any affidavit, report, statement, or previous deposition in this case, including reasonable follow-up questions thereto. The expert will testify more specifically that a reasonable and necessary attorney's fee should include and be calculated using an estimated hours basis estimating the total number of hours of work done but also taking into consideration the value of the services provided given the nature of the claim, the benefit obtained or to be obtained, and other factors recognized as pertinent as well as the basis and amounts of the hourly rates. Redacted hourly/time information may be provided on request. None of the experts have yet formulated an ultimate conclusion of the reasonableness of the fees in this case as (a) they have not reviewed final fee statements, (b) no complete fee statements exist, and (c) fees continue to accrue because the case is pending. The experience and qualifications of each of these attorneys are set out on their firm website, and those qualifications are incorporated here as though set out in full.
3. The experts' mental impressions and opinions will be formulated in response to whatever report the Plaintiff's experts on this subject matter provide.
4. The experts are or may be attorneys representing the Defendant in this case or related cases. The attorneys have seen and reviewed, or will see and review, the matters pertaining to the file. The expert's testimony will also be based upon discovery provided in connection with this case and all such information, which will be or has been promised or is public information. Further, to the extent that the witness has been, or will be, deposed in this case, incorporated in this designation herein are any and all deposition testimony and reasonable follow-up questions thereto.

Cross-Designation of Witnesses

The Defendant hereby cross designates and states that it may call any expert witness identified or designated by any adverse party or any employee or representative (past or current) of any adverse party, subject to any objections the Defendant may make concerning the designation of such expert witnesses.

Cross-Examination

The Defendant reserves the right to elicit, by way of cross-examination, opinion testimony from experts, including lay opinion testimony, from witnesses designated and/or

called by other parties to this suit. The Defendant may also call, as a witness associated with other parties, any expert witness of any party.

Right to Elicit Any Expert Opinion or Law Opinion Testimony

The Defendant reserves the right to elicit any expert opinion or lay opinion testimony at the time of trial which would be truthful, which would be of benefit to the Court to determine material issues of fact which would not be violative of any existing Order of the Court or of Federal Rules of Civil Procedure.

Reservation of Additional Right

The Defendant reserves whatever additional rights they may have with regard to experts, pursuant to the Federal Rules of Civil Procedure, the Federal Rules of Civil Evidence, the case law construing same and the rulings of the Court.

Reservation of Right to Supplement Designation

The Defendant reserves the right to supplement this designation with additional designations of expert witnesses and with supplemental or amended reports within any time limits imposed by the Court or any alterations of same as necessary to ensure the accuracy of the basis for the opinions and the opinions themselves or as may be allowed by subsequent Order or agreement of the parties or pursuant to the Federal Rules of Civil Procedure and/or the Federal Rules of Civil Evidence.

Respectfully submitted,

/s/ Reese Baker

Reese W. Baker

Texas Bar. No. 0158770

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COUNSEL FOR PATRICK COX

Certificate of Service

I hereby certify that a true and correct copy of the foregoing instrument has been served upon the following counsel on this 9th day of December, 2016, via United States certified mail, return receipt requested and via the Court's ECF/PACER system:

Heather P. Potts
Ostrom Morris
6363 Woodway, Suite 300
Houston, TX 77057

/s/ Reese W. Baker
Reese W. Baker